Bruce H. Sales Gregg A. Paradise Aaron S. Eckenthal LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West

Westfield, NJ 07090-1497

Tel: 908.654.5000 Fax: 908.654.7866

Attorneys for Plaintiff Jimmy's Chocolate Chip Cookies, LLC

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

JIMMY'S CHOCOLATE CHIP **Document Filed Electronically**

COOKIES, LLC,

v.

Civil Action No. 11-2152-DMC-JAD

CLOSED

Plaintiff,

District Judge Dennis M. Cavanaugh

Magistrate Judge Joseph A. Dickson

NATURE'S SELECT FOOD GROUP, LLC,

Defendant.

NOTICE OF DISMISSAL OF ACTION AGAINST DEFENDANT NATURE'S SELECT FOOD GROUP, LLC WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), before the defendant Nature's Select Food Group, LLC has filed an answer or other pleading, plaintiff Jimmy's Chocolate Chip Cookies, LLC, through its undersigned attorney, hereby voluntarily dismisses without prejudice all claims in the Complaint against Nature's Select Food Group, LLC.

Respectfully submitted,

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP Attorneys for Plaintiff Jimmy's Chocolate Chip Cookies, LLC

Dated: October 8, 2012 s/ Gregg A. Paradise

> Gregg A. Paradise 908.654.5000

E-mail:gparadise@ldlkm.com litigation@ldlkm.com

10/10/12

SO ORDERED:

CAVANAUGH, U.S.D.J.

2926561_1.docx